

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MAHMOUD A. SALAMA,

Plaintiff,

v.

AISIN MANUFACTURING  
ILLINOIS, LLC,

Defendant.

Case No. 3:19-CV-1111-NJR-GCS

**MEMORANDUM AND ORDER**

ROSENSTENGEL, Chief Judge:

This matter is before the Court on the Motion for Leave to Proceed *in forma pauperis* filed by Plaintiff Mahmoud Salama (Doc. 3). Salama filed this employment discrimination lawsuit pursuant to Title VII of the Civil Rights Act of 1967, as amended, 42 U.S.C. § 2000e *et seq.* and 42 U.S.C. § 1981a (Doc. 2), claiming he has been subjected to discrimination and harassment due to his race, religion, and national origin in the form of racial slurs and other demeaning activities by agents of Defendant Aisin Manufacturing Illinois, LLC (*Id.*). He further claims that Defendant took no action after he reported these incidents to the Human Resources department, and that Defendant's action or inaction was done willfully, maliciously, intentionally, and deliberately (*Id.*). He now moves to proceed without prepayment of the required filing fees.

Under 28 U.S.C. § 1915(a)(1), an indigent party may commence a federal court action without paying required costs and fees upon submission of an affidavit asserting

the inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and the affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1). Destitution is not required to proceed *in forma pauperis*; an affidavit demonstrating that the plaintiff cannot, because of his poverty, provide himself with the necessities of life is sufficient. *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339–40 (1948).

The Court is not satisfied from Salama’s affidavit that he is indigent. His monthly take-home income from his employer is approximately \$2,066, and he reports “other income” of \$3,200 per month. Salama owns a home valued at approximately \$70,000 and a vehicle worth about \$3,500. Although Salama has some debts and a child to support, his monthly income well exceeds his monthly expenses.

Accordingly, the Court **DENIES** the motion for leave to proceed *in forma pauperis* (Doc. 3). Salama is **ORDERED** to pay the \$400.00 filing fee no later than November 29, 2019. Failure to comply may result in dismissal of this action for want of prosecution and/or for failure to comply with a court order under Federal Rule of Civil Procedure 41(b).

**IT IS SO ORDERED.**

**DATED: October 29, 2019**

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive, flowing style. To the right of the signature, there is a faint, circular official seal of the United States District Court for the District of Columbia.

---

**NANCY J. ROSENSTENGEL**  
**Chief U.S. District Judge**